

State upon the trial, but I did know at the time of the trial or until after the date of Helen Ferguson's affidavit, dated April 9, 1914 to the Court shown at the hearing, that she would testify to the things in said affidavit set out. I did not know until then that Conley had had the conversation with Helen Ferguson set out in her said affidavit.

I had no opportunity myself to know what J. E. Duffy would testify to on the trial nor did I have any opportunity to discover whether or not Duffy would add to or vary the testimony rendered on the trial. I did not know or have any opportunity of knowing that the said Duffy would testify to the facts as set out in his affidavit dated April 18, 1914, to the Court shown at the hearing.

I did not know on the trial and until after the motion for new trial was overruled that Mrs. M. Jaffe saw me on April 26, 1913 at the corner of Whitehall and Alabama Streets at Jacobs' corner at 1:05 o'clock P.M. There was a considerable crowd upon the streets that day and I have no recollection of seeing Mrs. Jaffe, indeed the importance of remembering whom I saw while I was at the corner of Whitehall and Alabama Streets at the time and the day stated did not originate so far as I know until during the trial when Conley testified that he was with me concealing Mary Phagan's body between four minutes to o'clock and 1:30 P.M. on that day.

I know Mrs. Mamie Edmunds, formerly Mamie Kitchens, was a witness for the State upon the trial, but I did not know at the time of the trial or until after the date of the affidavit of Mrs. Mamie Edmunds which said affidavit is dated April 13, 1914, to the Court shown at the hearing, that she would testify to the things in said affidavit set forth.

1ST AMENDMENT TO MOTION FOR NEW TRIAL.

J. W. BOOZER, Sworn for the Movant. In April, 1913, and for several months prior thereto I was employed as a collector for Patrick & Thompson, Jewelers, on South Broad Street, this city. While collecting for Patrick & Thompson, one of my accounts was an account against Jim Conley, the negro who is now in jail, as being connected with the Mary Phagan murder.